

JUL 31 2008

## FEE AMENDMENT TRANSMITTAL LETTER

Attorney Docket No:  
SNY-P4339Application Serial Number:  
09/838,983Filing Date:  
4/20/2001Examiner:  
ALICIA BATURAYArt Unit:  
2155

Invention: SUPER DISTRIBUTION OF MUSIC SAMPLES USING EMAIL

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	54	MINUS	51	3	\$50	\$150
INDEP. CLAIMS	9	MINUS	8	1	\$210	\$210

Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of 5/23/2008 to and through       , comprising an extension of the shortened statutory period of:

- one month (\$120.00)       three months (\$1,050.00)  
 two months (\$460.00)       four months (\$1,640.00)

TOTAL ADDITIONAL FEE FOR THIS AMENDMENT	\$360.00
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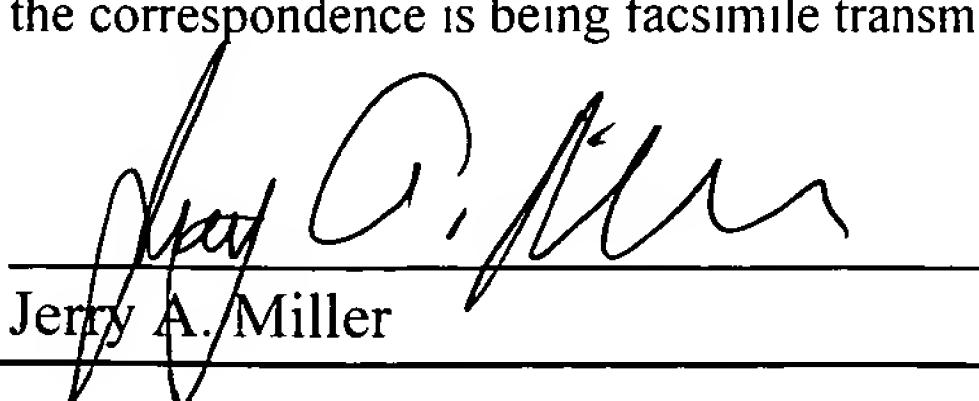
- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- A credit card payment form is attached.
- Charge any underpayment for this submission to Deposit Account 50-1267.
- No additional fee is required.

7/29/2008

Date

  
 Jerry A. Miller  
 Reg. No. 30779

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on 7/29/2008.

  
 Jerry A. Miller

Reg. No. 30779



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : David Hughes, et al.  
Filed : 4/20/2001  
Serial No. : 09/838,983  
Confirmation No. : 1235  
Group Art Unit : 2155  
Examiner : Alicia Baturay  
Docket Number : SNY-P4339  
Title : Superdistribution of Music Sample Using Email

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### CERTIFICATE OF MAILING / FAX TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

[X] deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[ ] transmitted by facsimile to the U.S. Patent and Trademark Office.

Applicant, Assignee or Reg. Representative: Jerry A. Miller, Reg. No. 30,779

Signature: /Jerry A. Miller Date: 7/29/2008

### RESPONSE TO FINAL OFFICE ACTION AND ADVISORY ACTION AND RCE SUBMISSION

Sir:

#### INTRODUCTORY COMMENTS:

This communication is responsive to the Final Office Action dated 5/23/2008 and subsequent Advisory Action dated 7/16/2008 in which all claims were rejected. The present response accompanies an RCE and serves as the submission therefor. Applicant(s) respectfully request reconsideration in view of the following.

S/N 09/838,983

08/01/2008 CNGUYEN2 00000024 09838983